



COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915  
(949) 644-3200 Fax: (949) 644-3229  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

**CITY OF NEWPORT BEACH  
ZONING ADMINISTRATOR STAFF REPORT**

October 24, 2013  
Agenda Item No. 6

**SUBJECT:** Davis Lot Merger - PA2013-176  
106 6th Street and 524 West Ocean Front  
Lot Merger No. LM2013-003

**APPLICANT:** Morgan Davis

**PLANNER:** Fern Nueno, Associate Planner  
(949) 644-3227, [fnueno@newportbeachca.gov](mailto:fnueno@newportbeachca.gov)

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**ZONING DISTRICT/GENERAL PLAN**

- **Zone:** R-1 (Single-Unit Residential)
- **General Plan:** RS-D (Single-Unit Residential Detached)

**PROJECT SUMMARY**

A lot merger application and a request to waive the parcel map requirement for two properties, under common ownership, located on Balboa Peninsula. The merger would combine the two parcels into one lot for single-unit residential development.

**RECOMMENDATION**

Forward application to the Planning Commission for review concurrently with an Alternative Setback Determination application.

**DISCUSSION**

In conjunction with the Lot Merger application, the applicant requests an Alternative Setback Determination, which is reviewed by the Planning Commission. The Alternative Setback Determination is intended in cases where the orientation of an existing lot and the application of the setback area are not consistent with other lots in the vicinity. This will ensure that setback requirements for the merged lot and future development are consistent with surrounding properties.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Section 15305, of the California Environmental Quality Act (CEQA) Guidelines - Class 5 (Minor Alterations in Land Use Limitations), which exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density.

## **PUBLIC NOTICE**

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant, and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website. Should the application be forwarded to Planning Commission, notice of the hearing would be provided pursuant to the Brown Act.

Prepared by:



Fern Nueno, Associate Planner

JC/fn

Attachments:      ZA 1      Vicinity Map  
                         ZA 2      Project Plans

# **Attachment No. ZA 1**

Vicinity Map

# VICINITY MAP



Lot Merger No. LM2013-003  
PA2013-176

**106 6th Street and 524 West Ocean Front**

# **Attachment No. ZA 2**

Project Plans

EXHIBIT "A"  
CITY OF NEWPORT BEACH  
LOT LINE ADJUSTMENT L.A. 2013-  
(LEGAL DESCRIPTION)

SHEET 1 OF 3

| OWNER   | EXISTING PARCELS<br>AP NUMBER | PROPOSED PARCELS<br>REFERENCE NUMBER |
|---|-------------------------------|--------------------------------------|
| MORGAN W. DAVIS AND SANDRA L.<br>DAVIS, TRUSTEES OF THE DAVIS<br>FAMILY TRUST | 048-073-02                    | PARCEL 1                             |
|   | 048-073-29                    | PARCEL 1                             |

PARCEL 1:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT 15 IN BLOCK 10 OF EAST NEWPORT, IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 3, PAGE 37 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

TOGETHER WITH:

TOGETHER WITH PARCEL 1 OF LOT LINE ADJUSTMENT NUMBER 2001-008  
AS PER DOCUMENT RECORDED AS INSTRUMENT NUMBER 20020811323  
IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CA.



PREPARED BY :

*Ron Miedema*

RON MIEDEMA L.S. 4653  
REGISTRATION EXPIRES 9-30-2013

DATE: 07-22-2013

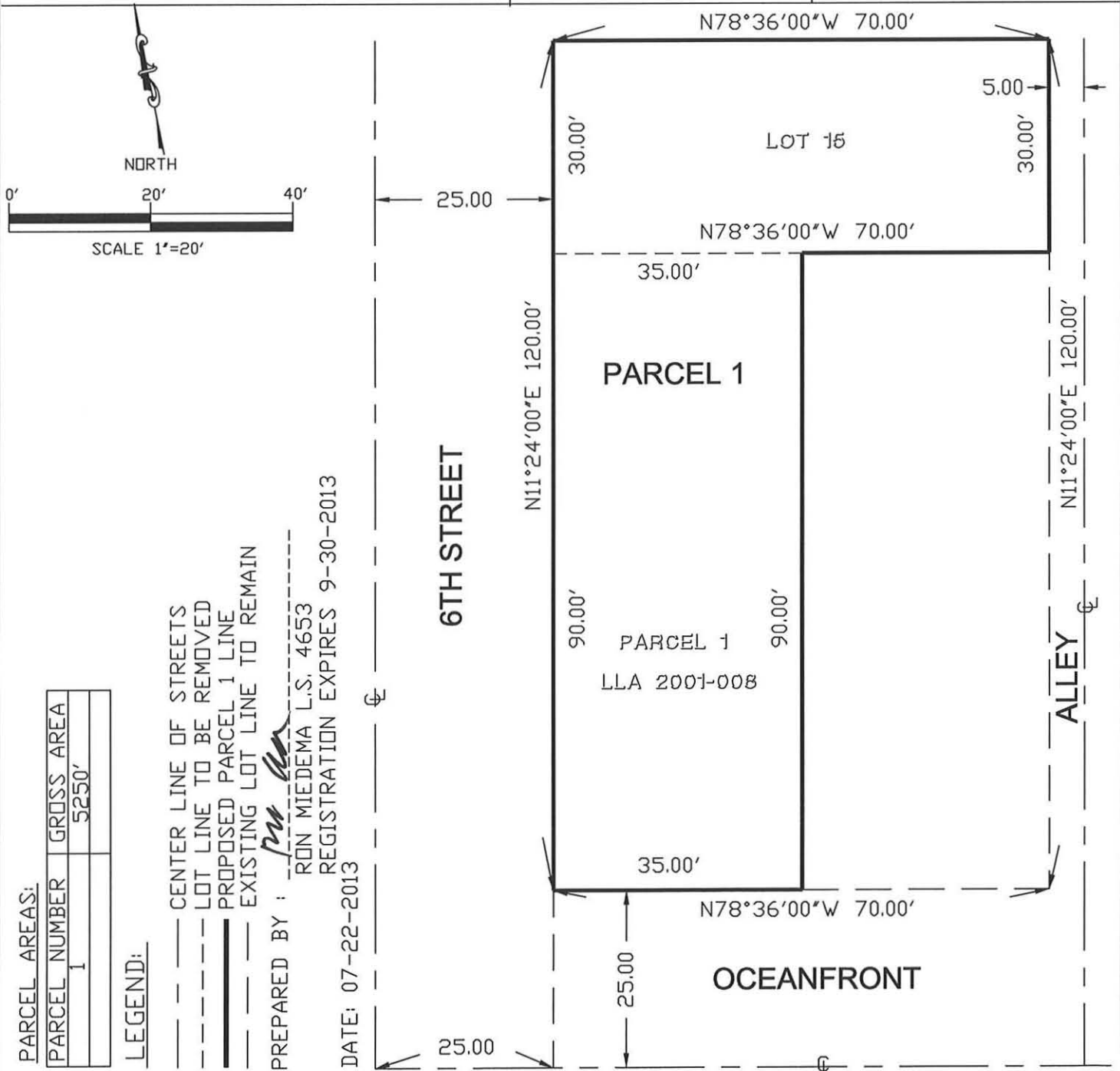
# EXHIBIT "B"

## CITY OF NEWPORT BEACH

### LOT LINE ADJUSTMENT L.A. 2013- (MAP)

SHEET 2 OF 3

| OWNER   | EXISTING PARCELS<br>AP NUMBER | PROPOSED PARCELS<br>REFERENCE NUMBER |
|---|-------------------------------|--------------------------------------|
| MORGAN W. DAVIS AND SANDRA L.<br>DAVIS, TRUSTEES OF THE DAVIS<br>FAMILY TRUST | 048-073-02                    | PARCEL 1                             |
|   | 048-073-29                    | PARCEL 1                             |



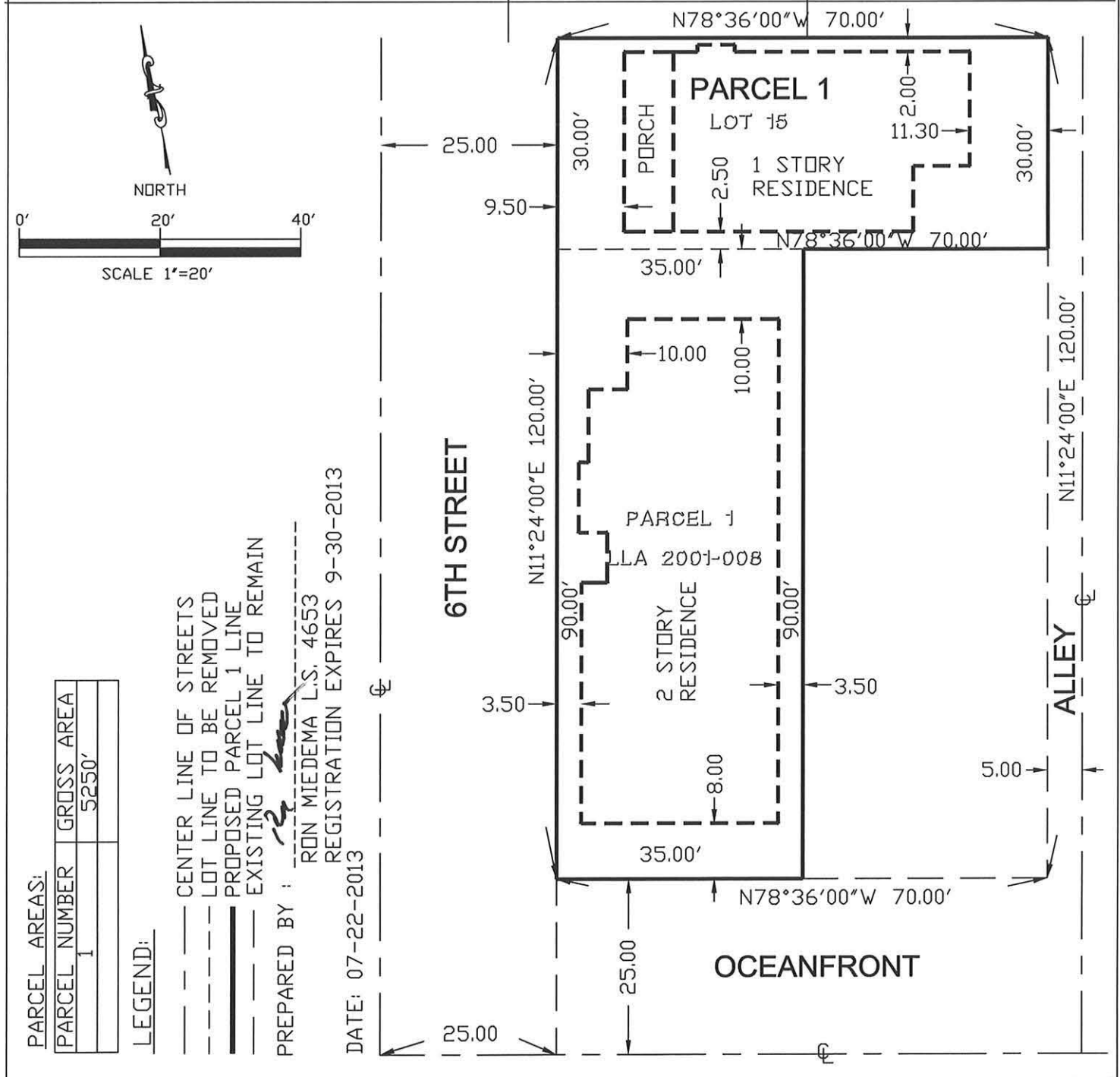
# EXHIBIT "C"

## CITY OF NEWPORT BEACH

### LOT LINE ADJUSTMENT L.A. 2013- (SITE PLAN)

SHEET 3 OF 3

| OWNER   | EXISTING PARCELS<br>AP NUMBER | PROPOSED PARCELS<br>REFERENCE NUMBER |
|---|-------------------------------|--------------------------------------|
| MORGAN W. DAVIS AND SANDRA L. DAVIS, TRUSTEES OF THE DAVIS FAMILY TRUST | 048-073-02                    | PARCEL 1                             |
|   | 048-073-29                    | PARCEL 1                             |





Norton Younglove  
514 W Ocean Front  
Newport Beach, Cal  
92661

RECEIVED BY  
COMMUNITY  
OCT 24 2013  
DEVELOPMENT  
CITY OF NEWPORT BEACH

City of Newport Beach  
Community Development Department  
Planning Division 100 Civic Center Drive  
P.O. Box 1768  
Newport Beach, CA 92658

RE: Davis Lot Merger  
Project File No. PA2013-176  
Location 106 6th street and 524 W Oceanfront

The alley in back of 106 6th street is very narrow. The fence needs to be set back several feet. Currently it is very difficult to make the turn and the trash truck has to back our of the alley. This alley is the only access for the homes in this block. The other house on 6th street is set back adequately.

Thank you for solving a neighborhood problem.

Sincerely,

Norton Younglove

**McClellan Harris III**  
**509 West Balboa Boulevard**  
**Newport Beach, California 92661**

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22 October 2013

City of Newport Beach  
Community Development Department  
Planning Division, 100 Civic Center Drive  
P.O. Box 1768  
Newport Beach, CA 92658

RECEIVED BY  
COMMUNITY

OCT 24 2013

DEVELOPMENT  
CITY OF NEWPORT BEACH

RE: Davis Lot Merger - Location: 106 6<sup>th</sup> Street and 524 West Oceanfront  
Project File No. PA 2013-176  
Activity No LM2013-003

This letter is written to express my concerns that the City ensure that this project requires a setback if these two parcels are combined. Specifically, the alley-way access behind 6<sup>th</sup> Street is significantly impaired due existing structure at the property line. This parcel is the only one that currently has this issue as new construction in this area over the years has required the set back.

As currently situated, the lot construction at the property line significantly impairs local resident traffic. The existence of this one lot having construction at the property line (i) impairs adequate traffic access, (ii) requires that the garbage truck must back up twice to collect the refuse on Balboa Boulevard and 6<sup>th</sup> street, and (iii) often requires automobile traffic to take two attempts at making the turn due to the tight turning area imposed by the existing lot-line construction at 6<sup>th</sup> street. This situation does present an unsafe condition that could be ameliorated simply by requiring the set back on the lone 6<sup>th</sup> street property.

I would appreciate your mailing me staff report on this issue when available.

Sincerely,



McClellan Harris III

Joseph DeCarlo  
510 W. Oceanfront  
Newport Beach, CA 92661

October 16, 2013

City of Newport Beach  
Community Development Department  
Planning Division, 100 Civic Center Drive  
PO Box 1768  
Newport Beach, CA 92658



RE: Davis Lot Merger  
Project File No. PA 2013-176  
Location 106 6<sup>th</sup> St. and 524 W. Oceanfront  
Activity No. LM2013-003

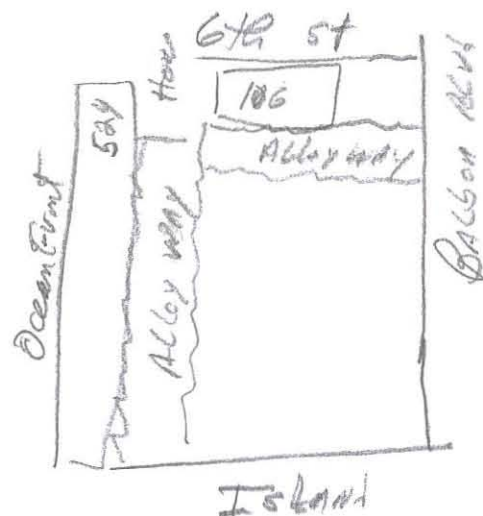
The alley in back of 106 6<sup>th</sup> Street is very narrow and their fence abuts the alley making it difficult to make the 90 degree turn that goes to Balboa Blvd. Other houses have set backs from alley but this one does not. There should be a set back from the alley if these two parcels are combined. This is a dangerous situation. Also, most cars and emergency vehicles have to back up and straighten out to transverse the turn in the alley. The trash truck cannot make turn and has to back all the way out of alley to the island and then go in off of Balboa Blvd. to pick up trash at 106 6<sup>th</sup> Street.

I will be out of town on October 24, 2013 and would like you to email me staff report prior to hearing.

Sincerely,

A handwritten signature of Joseph DeCarlo, consisting of a stylized 'J' and 'D'.

Joseph DeCarlo, MBA, CPM, CCIM, CRE  
[jdmg3@aol.com](mailto:jdmg3@aol.com)



**CITY OF NEWPORT BEACH - NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Thursday, October 24, 2013**, at **3:30 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. The Zoning Administrator of the City of Newport Beach will consider the following application:

**Davis Lot Merger** - A lot merger application and a request to waive the parcel map requirement for two properties, under common ownership, located on Balboa Peninsula. The merger would combine the two parcels into one lot for single-unit residential development.

The project is categorically exempt under Section 15305, of the California Environmental Quality Act (CEQA) Guidelines - Class 5 (Minor Alterations in Land Use Limitations).

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Section 19.12.060 (Subdivision Code). The application may be continued to a specific future meeting date; and if such an action occurs additional public notice of the continuance will not be provided. Prior to the public hearing the agenda, staff report, and documents may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, California, CA 92660 or at the City of Newport Beach website at [www.newportbeachca.gov/zoningadministrator](http://www.newportbeachca.gov/zoningadministrator). Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application.

For questions regarding this public hearing item please contact Fern Nueno, Associate Planner, at (949) 644-3227, [fnueno@newportbeachca.gov](mailto:fnueno@newportbeachca.gov).

**Project File No.:** PA2013-176

**Activity No.:** LM2013-003

**Zone:** R-1 (Single-Unit Residential)

**General Plan:** RS-D (Single-Unit Residential Detached)

**Location:** 106 6th Street and 524 West Ocean Front

**Applicant:** Morgan Davis